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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the **PATENT APPLICATION** of:

Lehmann et al.

Our File: SMB-PT025
(A 01 207 H US)

Application No.: Not Yet Known

Date: June 6, 2001

Filed: Not Yet Known

For: PROCESS FOR EXAMINING MEMBRANE
ENCLOSED BIOPARTMENTS

Group: Not Yet Known

Examiner: Not Yet Known

10997 U.S. PRO
09/07/2001
06/06/01



INFORMATION DISCLOSURE STATEMENT

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

Sir:

Further to applicant's Duty of Disclosure pursuant to 37 C.F.R. § 1.56, applicant wishes to bring to the Examiner's attention the material cited on the enclosed PTO-1449 form. Copies of the cited documents are enclosed.

The enclosed documents were cited in an Examination Report dated April 10, 2001 for German Priority Application Nos. 100 28 692.5, copy enclosed. A translation of the Examination Report which explains the pertinence of the cited references is also enclosed.

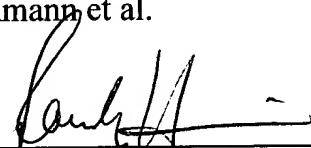
Applicant: Lehmann et al.
Application No.: Not Yet Known

It is respectfully requested that the Examiner consider these documents and return an initialed copy of the PTO-1449 form indicating his consideration of the cited materials.

Respectfully submitted,

Lehmann et al.

By


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RJH/tc
Enclosures

- 1. DE 197 53 598 C1
- 2. DE 44 01 839 A1
- 3. DE 44 17 079 C2
- 4. DE 44 38 087 A1
- 5. DE 38 06 955 C2
- 6. US 5 379 255 A

From Publication 1 (see in particular Figures 1-5 with related text) a process for Examining Membrane Enclosed Biocompartments (see column 4, lines 57-60) is known, in which the biocompartments are made ready in a microflow chamber (1) in which a through flow medium is in contact with the biocompartments, with the medium being a culture medium (namely a nutrient medium) which flows through (see column 9, lines 39-44) and whereby the pH valve of the culture medium in the micro flow chamber is measured (see column 2, lines 56-61), whereby all of the characteristics of the generic part (introductory clause) of claim 1 are known.

In partial agreement with the characteristic a) of the characterising portion of claim 1, the concentration in one of the biocompartments of a metabolism released substance in a sphere of influence of the biocompartment located subdomain of the culture medium is indirectly measured (see column 4, lines 12-25).

From the Publication 2) (see in particular column 4, line 8 - on), from publication 3) (see in particular the Figures 1, 2 and 3 with related text) and the publication 4) (see the entire document) are processes with various characteristics of the generic part (introductory clause) of claim 1 known.

From the Publication 5) (see in particular the Figures 1-6, column 1, line 14 - on) a process for examining membrane enclosed biocompartments (namely enzyme fixed membrane, see column 3, line 33 - on) is known, in which an indirect glucose determination is made through a pH valve measurement with an ISFET from built up gluconic acid.

From the Publication 6) (see in particular Figures 1a and 1b, column 1, line 22 - on) a process for determining the concentration of carbon dioxide is known, in which hydrogen ions build up and the resulting pH valve change is determined with a pH-ISFET.

The subject matter of claim 1 is new and is in view of the known state of the art not obvious.

FORM PTO-1449
 U.S. DEPARTMENT OF COMMERCE
 PATENT AND TRADEMARK OFFICE
 INFORMATION DISCLOSURE
 STATEMENT BY APPLICANT
 (Use several sheets if necessary)

ATTY. DOCKET NO.
 SMB-PT025
 (A 01 207 H US)

SERIAL NO.
 Not Yet Known

APPLICANT
 Lehmann et al.

FILING DATE
 Not Yet Known

GROUP
 Not Yet Known

10997 U.S. PTO
 09/09/87 5220

 06/06/01

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | | | | | | | DATE | NAME | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|------------------|----|-----------------|---|---|---|---|---|---|-------|------------------|-------|----------|----------------------------|
| | AA | 5 | 3 | 7 | 6 | 2 | 5 | 5 | 12/94 | Gumbrecht et al. | | | |
| | AB | 5 | 8 | 5 | 1 | 4 | 8 | 9 | 12/98 | Wolf et al. | | | |
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FOREIGN PATENT DOCUMENTS

| | | DOCUMENT NUMBER | | | | | | | DATE | COUNTRY | CLASS | SUBCLASS | TRANSLATION | |
|--|----|-----------------|----|---|---|---|---|--|------|---------|-------|----------|-------------|--|
| | | | | | | | | | | | | | YES NO | |
| | AC | 3806 | 9 | 5 | 5 | C | 2 | | 6/90 | Germany | | | | |
| | AD | 4401 | 8 | 3 | 9 | a | 1 | | 7/95 | Germany | | | | |
| | AE | 4417 | 0 | 7 | 9 | C | 2 | | 6/98 | Germany | | | | |
| | AF | 4438 | 0 | 8 | 7 | A | 1 | | 5/96 | Germany | | | | |
| | AG | 1975 | 35 | 9 | 8 | C | 1 | | 7/99 | Germany | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

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EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.